

FILED

JUL 26 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

SOON C. PAE, aka "Mama Jeanie,"

Defendant - Appellant.

No. 05-10428

D.C. No. CR-04-00029-RSM

MEMORANDUM^{*}

Appeal from the United States District Court
for the District of Guam
Ricardo S. Martinez, District Judge, Presiding

Submitted July 24, 2006^{**}

Before: ALARCÓN, HAWKINS and THOMAS, Circuit Judges.

Soon C. Pae appeals from the sentence imposed following her guilty plea conviction to conspiracy to distribute methamphetamine hydrochloride, in

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

violation of 21 U.S.C. §§ 841(a)(1) and 846. We have jurisdiction pursuant to 28 U.S.C. § 1291, and we affirm.

Pae contends that the district court erred in denying her a minimal participant adjustment. The record supports the district court's conclusion that Pae was not entitled to this adjustment. *See United States v. Cantrell*, 433 F.3d 1269, 1282-83 (9th Cir. 2006). Because we affirm the decision not to apply the adjustment, we need not reach Pae's contention regarding which version of the United States Sentencing Guidelines should have been used.

AFFIRMED.